

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

CYPRESS LAKE SOFTWARE, INC.

Plaintiff,

v.

ZTE (USA) INC., HP INC.

Defendant.

**Civil Action No. 6:17-cv-300-RWS  
LEAD CONSOLIDATED CASE**

**JURY TRIAL DEMANDED**

**ORDER**

Before the Court is the Plaintiff Cypress Lake Software, Inc. and Defendant ZTE (USA) Inc.'s Joint Motion and Stipulation Regarding Court Order Granting Motion to Compel [Docket No. 69]; Cypress Lake's Opposed Motion to Compel Source Code & Technical Documents [Docket No. 62]; ZTE (USA) Inc.'s Opposed Motion to Stay [Docket No. 74]; and ZTE (USA) Inc.'s Unopposed Motion to Expedite Briefing [Docket No. 75] (Docket No. 81). The Court is of the opinion that the motion should be **GRANTED**. It is, therefore, **ORDERED**:

1. ZTE (USA) Inc.'s Opposed Motion to Stay (Docket No. 74) is **GRANTED BY AGREEMENT** and the Motion to Expedite Briefing (Docket No. 75) is **DENIED AS MOOT**. Accordingly, this case (Civil Action No. 6:17-cv-300) is hereby **STAYED** until the Court decides ZTE's Motion to Dismiss for Lack of Venue (Docket No. 6).

2. ZTE shall not pursue the reasonable expenses and fees awarded to it pursuant to the Court's April 24, 2018 Order (Docket No. 69).

3. Cypress Lake's Motion to Compel (Docket No. 62) is **DENIED AS MOOT**. Cypress Lake may re-file its motion after Cypress Lake inspects ZTE's source code, identifies actual problems with the production, and provides ZTE a reasonable time to address those

problems, to the extent any exist.

4. If the Court grants HP's Motion to Transfer to the Northern District of California (Docket No. 16) in the co-pending member case styled *Cypress Lake Software, Inc., v. HP Inc.*, Civil Action No. 6:17-cv-462, Cypress Lake shall not oppose ZTE also moving to that district.

5. In the event ZTE's Motion to Dismiss for Lack of Venue (Docket No. 6) is denied and HP's Motion to Transfer (Docket No. 16) is also denied, the parties may file a motion to place this case on the same schedule entered in the related consolidated case styled *Cypress Lake Software, Inc. v. Samsung Electronics America, Inc.*, Civil Action No. 6:18-cv-030.

6. Cypress Lake shall comply with the model order on asserted claim numbers by serving ZTE (USA) Inc. with its identification of no more than 10 claims per patent, 32 claims total, no later than June 13, 2018 or, alternatively, three weeks prior to a P.R. 4-2 deadline, whichever occurs earlier.

**SIGNED this 9th day of May, 2018.**

  
ROBERT W. SCHROEDER III  
UNITED STATES DISTRICT JUDGE